

Village Historic District Ordinance

Town of Bar Harbor

An Amendment to the Village Historic land use district.

*The Town of Bar Harbor hereby ordains that Chapter **125** of the Town Code is amended as follows:*

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125, LAND USE ORDINANCE

Article III, Land Use Activities and Standards

§ 125-18. Village Historic.

A. Purpose:

The Village Historic District consists of mostly single family homes and historically significant estates. New development, re-development, and infill development shall respect and reflect the following standards to assure that the design and use of properties within this district are compatible to any nearby properties.

B. Dimensional Standards

- (1) Minimum lot size: 40,000 square feet.
- (2) Minimum road frontage and lot width: 100 [feet] with sewer; 150 [feet elsewhere].
- (3) Minimum front setback: 30 feet.
- (4) Minimum side setback: 25 feet.
- (5) Minimum rear setback: 25 feet
- (6) Maximum lot coverage: 25%.
- (7) Maximum height: 40 feet
- (8) Minimum area per family: 40,000 square feet.

~~§ 125-19. Bar Harbor Historic Corridor.~~

- ~~A. Minimum lot size: 20,000 square feet with sewers; 40,000 square feet without sewers.~~
~~B. Minimum road frontage and lot width: 100 feet with sewers; 150 feet without sewers.~~
~~C. Minimum front setback: 75 [feet] from Mount Desert Street; 25 [feet] elsewhere.~~
~~[Amended 11-7-2006]~~
~~D. Minimum side setback: 25 [feet].~~

- ~~E. Minimum rear setback: 25 [feet].~~
- ~~F. Maximum lot coverage: 25%.~~
- ~~G. Maximum height: 40 [feet].~~
- ~~H. Minimum area per family: 10,000 square feet with sewers; 20,000 square feet without sewers.~~

~~§ 125-25. Hulls Cove Historic.~~

- ~~A. Minimum lot size: 40,000 square feet.~~
- ~~B. Minimum road frontage and lot width: 200 [feet].~~
- ~~C. Minimum front setback: 75 [feet].~~
- ~~D. Minimum side setback: 25 [feet].~~
- ~~E. Minimum rear setback: 25 [feet].~~
- ~~F. Maximum lot coverage: 25%.~~
- ~~G. Maximum height: 40 [feet].~~
- ~~H. Minimum area per family: 20,000 square feet.~~

C. Allowed Uses:

- (1) Principal uses allowed by building permit or a change of use permit with the Code Enforcement Officer: home occupation; public or private park with minimal structural development; vacation rental on homestead exemption property¹; ~~and single family dwelling, non-commercial greenhouse, and government facility/use.~~

- (a) In addition to the above uses, the following uses are allowed for properties with lot frontage or access to the Baymeath Road, Lookout Point Road, and the Syndicate Road:

[1] agricultural homesteads

- (b) Accessory Uses that are usual and normal to principal use are allowed if they are typically permitted by Code Enforcement Officer or site plan review for the district the use is proposed. Accessory uses are allowed by review of the same permitting authority that approved the principal structure.

D. Uses allowed by site plan:

- (1) The following uses shall be permitted by site plan review in any part of this district: Bed and breakfast I, road construction.

¹ Activity allowed only for single family dwelling on a homestead exemption property plus one additional accessory dwelling on same property. This activity includes a unit in a two-family dwelling where the unit is a homestead exemption property and the two-family dwelling in the sole principal structure on the lot.

- (a) The following uses shall be permitted by site plan review for properties with road frontage or access to West Street, the Baymeath Road, Lookout Point Road, and the Syndicate Road only: private club, eleemosynary, ~~noncommercial greenhouse~~.
- (2) The following uses shall be permitted for properties with road frontage or access to the Baymeath Road, Lookout Point Road, and the Syndicate Road only: municipal schools, museums, multifamily I, two-family dwellings, and non-commercial stables.

E. Allowed Activities:

- (1) Activities allowed without a permit, provided it complies with all provisions of Section 125: activities necessary for managing/protecting land; filling/earth moving activity less than 160 cubic yards; forest management activities except timber harvesting; non-intensive recreation uses not requiring structures; public utility installation/essential services.
- (2) Activities allowed by building permit and require approval of the Code Enforcement Officer: driveway construction; filling/earth moving activity 160 cubic yards or more.

F. ~~Allowed Uses:~~

- (1) ~~Principal uses allowed by building permit or a change of use permit with the Code Enforcement Officer: home occupation; public or private park with minimal structural development; vacation rental on homestead exemption property; and single family dwelling.~~
- (a) ~~Accessory Uses that are usual and normal to principal use are allowed if they are typically permitted by Code Enforcement Officer or site plan review for the district the use is proposed.~~

C. Uses allowed by site plan:

- (1) ~~The following uses shall be permitted by site plan review in any part of this district: Bed and breakfast I and private clubs, provided the location is in a building constructed before June 8, 2010 for properties with lot frontage or access on West Street, only; eleemosynary except for properties with frontage or access on Harbor Lane, and Eden Street, pier, dock, wharf, or breakwater; noncommercial greenhouse; road construction.~~

D. ~~Allowed Activities:~~

- (1) ~~Activities allowed without a permit, provided it complies with all provisions of Section 125: activities necessary for managing/protecting land; filling/earth moving activity less than 10 cubic yards; forest management activities except timber harvesting; non-intensive recreation uses not requiring structures; public utility installation/essential services.~~
- (2) ~~Activities allowed by building permit and require approval of the Code Enforcement Officer: driveway construction; filling/earth moving activity 10 cubic yards or more.~~

G. Other Requirements:

- (1) All new construction and/or changes to facades and signs shall require Design Review Board approval if visible from a public way. Single family homes are exempt from this provision unless otherwise included in Appendix A or B of this Chapter.
- (2) Parking for bed and breakfast I shall be shielded from the view of neighboring properties located to the side and rear of the property where the bed and breakfast is located. Shielding shall consist of vegetative screening.
- (3) Accessory structures shall be located in the side and rear yard of the property.

MAP AMENDMENT

Assign the Village Residential District to the following Property Tax Map and Lot numbers pursuant the Proposed Zoning Changes map created on June 2, 2010:

Map and Lot	Map and Lot	Map and Lot	Map and Lot	Map and Lot
224-009-000	224-015-000	217-008-000	210-006-000	210-001-000
224-010-000	216-098-000	217-009-000	210-004-000	210-012-000
224-011-000	216-097-000	217-006-000	210-003-000	217-007-000
224-012-000	217-019-000	217-005-000	209-076-000	217-004-000
224-013-000	217-018-000	210-011-000	209-075-000	217-010-000
224-017-000	217-017-000	210-010-000	209-059-000	217-014-000
224-016-000	217-016-000	210-009-000	209-054-000	217-021-000
224-019-000	217-015-000	210-014-000	209-055-000	217-020-000
224-021-000	217-013-000	210-009-001	209-053-000	209-079-000
224-020-000	217-012-000	210-015-000	209-077-000	210-007-000
224-018-000	217-011-000			

MAP AMENDMENT

Assign the Hulls Cove Business District and Shoreland General II District to the following Property Tax Map and Lot numbers pursuant the Proposed Zoning Changes map created on June 2, 2010:

Map and Lot	Map and Lot	Map and Lot
224-007-001	224-007-000	224-008-000

[end of ordinance]

LEGISLATIVE HISTORY:

Introduced: _____

Town Attorney Approved: _____

Revised in response to Council input: _____

Public Hearing: _____

Council Adopted: _____

Sent for Codification: _____